

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE ELECTRIC & GAS CORPORATION,
Plaintiff,

vs.

FIRSTENERGY CORP.,
Defendant.

FIRSTENERGY CORP.,
Third-Party Plaintiff;

Civil Action No. 3:03-CV-0438

vs.

I.D. BOOTH, INC.; ITHACA CITY SCHOOL DISTRICT; CITY
OF ITHACA, NEW YORK; and CITY OF ONEONTA, NEW
YORK,

Third-Party Defendants.

STIPULATION AND ORDER DISMISSING ACTION

Third-party plaintiff FirstEnergy Corp. ("FirstEnergy") and third-party defendant Ithaca City School District ("ICSD") hereby stipulate and agree, through their respective counsel, that the above-entitled third-party action asserted by FirstEnergy against ICSD is hereby dismissed with prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

Dated: October 4, 2010

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By: 

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IT IS SO ORDERED:



David E. Peebles

U.S. Magistrate Judge

Dated: October 5, 2010

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